

## DETAILED ACTION

### ***Amendment***

1. *Amendment filed on 01/17/2012, is acknowledged. Claim(s) 23-30 and 34, remain pending in the instant application. Claim(s) 1-22, 28 and 31-33, have been cancelled by Applicant.*

**Accordingly an Office Action on claims 23-27, 29, 30 and 34 hereby follows.**

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 23 and 29, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 23 recites the limitation "at least two support arms" in line 7. There is insufficient antecedent basis for this limitation in the claim.

***Applicant is advised to revise the claims filed by Applicant for the***

***instant Office Action for other similar correction(s) [for example: claim 29 recites “at least two support arms”].*** Appropriate correction(s) required.

5. Claim 23 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the structural cooperative relationship(s) of the “another of the said at least two elastic means” relative to the other components of the claimed invention of claim 23. It is unclear how the “another of the said at least two elastic means” is structurally connected to the other components of the claimed invention of claim 23. Appropriate correction(s) required.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

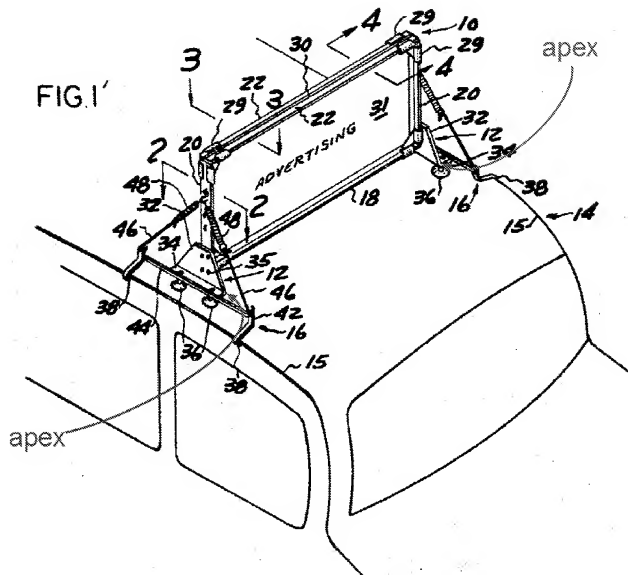
7. Claims 23, 24, 26, 27, 29, 30 and 34, are rejected under 35 U.S.C.

103(a) as being unpatentable over Hawes (USP 3392467), in view of Ross (USP 4084338), Muggli (EP 0415194 A2).

8. Regarding claim 23, Hawes teaches a device for supporting a panel (31) on a base (18) in a substantially vertical position, perpendicular to thrust of a fluid that moves relative to the panel and to the base, the panel having two opposite display faces and lateral ends (figs. 1 and 3), the device comprising:

- at least two support arms (wherein each of the at least two support arms are respectively defined by 20, 26 and 32), at least one of the at least two support arms being located on each of opposite display faces of the panel (fig. 2, via 26);
- at least two elastic means (48), wherein each of the at least two support arms has one side directly linked to a respective one of the display faces of the panel (fig. 2, via 26) and an apex opposite the one side linked to a first end of a respective one of the at least two elastic means (fig. 1; in view of fig. 1' below, via 44); and

- at least two removable fastening means (36) capable of being repositionable on the base (fig. 1; in view of col. 3, L13-15), wherein the at least two elastic means arranged so that when the fluid exerts thrust on the panel, another of the at least two elastic means undergoes an extension in order to urge the panel to return to an initial position of the panel (fig. 1).



Hawes fails to teach:

- the at least two support arms are substantially triangularly shaped;

- an end of each of the at least two elastic means opposite the first end is attached to a respective one of the at least two removable fastening means;
- the at least two elastic means being in a plane different from a plane of the panel; and
- the at least two elastic means being arranged so that when the fluid exerts thrust on the panel, at least one of the at least two elastic means undergoes a compression and another of the at least two elastic means undergoes an extension.

Ross discloses a device, comprising:

- at least two substantially triangularly shaped support arms (fig. 1; in view of fig. 2, and further in view of col. 3, L1-5, wherein at least one of the at least two substantially triangularly shaped support arms is at least defined by 24a, and at least another one of the at least two substantially triangularly shaped support arms is at least defined by 24b), at least one of the at least two support arms being located on each of opposite display faces of a supported display (fig. 2, as defined by 10a and 10b);

- each of the at least two substantially triangularly shaped support arms has one side directly linked to a respective one of the display faces of the panel (fig. 3A; in view of fig. 2; further in view of L23-27, wherein the one side of the at least one of the at least two substantially triangularly shaped support arms is at least defined by one of the vertically extending sides of 20a, and the one side of the at least another one of the at least two substantially triangularly shaped support arms is one of the vertically extending sides of 20b) and an apex opposite the one side (fig. 3a, wherein one of the apex of the at least one of the at least two substantially triangularly shaped support arms is defined by the point of connection of 24a and 15a, and another one of the apex of the at least another one of the at least two substantially triangularly shaped support arms is defined by the point of connection of 24b and 15b).

It is noted that the one side of each of the at least two substantially triangularly shaped support arms of Ross is integrated with each of the at least two substantially triangularly shaped support arms of Ross (fig. 2; in view of fig. 3a).

It would have been obvious to one having ordinary skill in the art to modify Hawes with Ross, by modifying the one side of each of the at least two substantially triangularly shaped support arms of Hawes by integrating the one side of each of the at least two substantially triangularly shaped support arms of Hawes correspondingly with each of the at least two substantially triangularly shaped support arms of Hawes according to as disclosed by Ross, for the benefit of simplifying and reducing the number of procedural steps required for assembling of the device of Hawes, and also further for the benefit of moving the each of the at least two substantially triangularly shaped support arms of Hawes closer to one another as a means for better supporting the weight of the panel of Hawes via the at least two substantially triangularly shaped support arms of Hawes.

It is noted that the at least two support arms at least two substantially triangularly shaped support arms of Hawes as modified each comprise a pair of the removable fastening means of Hawes as modified (Hawes fig. 1).



Muggli discloses a device, comprising:

- at least one shaped support arm (114) comprising a pair of removable fastening means (112);
- an elastic means (115) is coupled between the at least one shaped support arm and the pair of removable fastening means (fig. 6);
- the at least one shaped support arm has one end directly linked to a panel (fig. 6, wherein the panel is defined by 3) and an opposite end linked to a first end of each elastic means (fig. 6); and
- a second end of each elastic means is linked to a removable fastening means (fig. 6).

It would have been obvious to one having ordinary skill in the art to modify Hawes as modified with Muggli, by providing an elastic means between each removable fastening means of Hawes as modified and the corresponding one of the at least two support arms of Hawes as modified, Such that the apex opposite the one side of Hawes as modified is linked to the first end of a respective one of each of the at least two elastic means and the at least two elastic means are disposed in a plane different from a plane of the panel of Hawes as modified, for the benefit of eliminating the at

least two elastic means of Hawes as modified (Hawes 48) to make the invention of Hawes as modified more aerodynamic and aesthetically pleasing, and for the benefit of urging the panel of Hawes as modified to return to the initial position of the panel of Hawes as modified when the fluid exerts thrust on the panel of Hawes as modified via the inherent compression and extension characteristics of each of the at least two elastic means as a result of the arrangement of each of the at least two elastic means between each of removable fastening means of Hawes as modified and the corresponding one of the at least two substantially triangularly shaped support arms of Hawes as modified.

It should be noted by Applicant, that it is a very common knowledge within the art that a panel can be urged to return to an initial position of the panel when a force which can in certain cases be a fluid or non-fluid force is exerted on the panel via the inherent compression and extension characteristics of the at least two elastic means as a result of an arrangement of each of the at least two elastic means relative to one another and the panel, ***as made evident by Brecht (USP 5207377, see especially figs. 8 and 9, wherein the panel is defined by 18) and***

***Herrstrom (USP 4737048, see especially figs. 1 and 3, wherein the panel is defined by 12).***

9. Regarding claim 24, Hawes as modified teaches:
  - at least three the elastic means (Hawes fig. 1; in view of Muggli fig. 6).
10. Regarding claim 26, Hawes as modified teaches:
  - the at least two removable fastening means are magnets (Muggli 112).
11. Regarding claim 27, Hawes as modified teaches:
  - the at least two removable fastening means are suction cups (Hawes 36).
12. Regarding claim 29, Hawes as modified teaches:
  - the at least two substantially triangularly shaped support arms are part of a substantially triangularly shaped support plate (Hawes fig. 1;

in view of Ross fig. 3a) constituted by the at least two support arms coupled together by the one side that is arranged to be attached to the panel (Hawes fig. 1; in view of fig. 2; in view of Ross fig. 3a).

13. Regarding claim 30, Hawes as modified teaches:

- the panel (see the rejection of claim 1, above) is one of a two-sided display and a cylindrical display (Hawes fig. 1 or Ross fig. 2).

14. Regarding claim 34, Hawes as modified teaches:

- a location of the base (see the rejection of claim 1, above) is movable (Hawes fig. 1).

15. Claims 25, is rejected under 35 U.S.C. 103(a) as being unpatentable over Hawes, in view of Ross and Muggli; in view of as applied to the rejection of claim 23 above, and further in view of Sarkisian (USP 3646696).

16. Regarding claim 25, Hawes as modified fails to teach:

- the at least two elastic means are springs.

Sarkisian discloses a device for supporting a panel (14 and 28) on a base (12) in a substantially vertical position, perpendicular to thrust of a fluid that moves relative to the panel and to the base, the device comprising:

- at least two elastic means that are springs (fig. 3), and the springs yield to permit downward deflection of the panel of in either direction along an axis generally parallel to the panel (fig. 2; in view of SUMMARY OF THE INVENTION).

It is noted that the at least two elastic means of Hawes as modified are made from rubber (Muggli page 2, paragraph 9, line 3).

It would have been obvious to one having ordinary skill in the art to modify Hawes as modified, with Sarkisian, by substituting the of the at least two elastic means of Hawes as modified with springs according to as taught by Sarkisian, for the benefit of increasing the amount of deflection achievable by the panel of Hawes as modified when the fluid exerts the thrust on the panel of Hawes as modified, as a means for relative minimization of the amount of drag on the panel of Hawes as modified while the vehicle of Hawes as modified is in motion.

### ***Response to Arguments***

17. Applicant's arguments with respect to claims 23-30 and 34 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the

mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHIEDU CHIBOGU whose telephone number is (571)270-7019. The examiner can normally be reached on Monday - Friday (08.30am - 5.00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrell McKinnon can be reached on (571)272-4797. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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